

FORENSIC LABORATORY ADVISORY COMMITTEE (FLAC)
MEETING MINUTES
Wednesday, May 9, 2018, 10:00 A.M.-11:30 A.M.
MDH-Office of Health Care Quality
Bland Bryant Building
55 Wade Avenue
Catonsville, MD 21228

Members in Attendance:

Renee Webster, DHMH, OHCQ, Assistant Deputy Director
Karin Athanas, American Association for Laboratory Accreditation (A2LA)
Yale Caplan, Ph.D., American Academy of Forensic Sciences
Lorraine Doucette, American Society for Clinical Laboratory Science
Daniel Katz, Director, Maryland State Police Forensic Sciences Division
Melissa Kennedy, ANAB

Members Unable to Attend:

Rana DellaRocco, Director, Baltimore Police Department Laboratory
Lilia Mijares, Ph.D., University of Maryland School of Medicine
Robert Myers, Ph.D., DHMH Director of Laboratories Administration, Ex officio

MDH Staff:

Paul Celli, OHCQ, Public Health Administrator for Clinical and Forensic Laboratories
Tia Tate, Ph.D., OHCQ, Coordinator of Forensic Laboratories Program

Non-members in Attendance:

Brittney Bryant, American Association for Laboratory Accreditation (A2LA)
Ebony Cates-Brown, OHCQ, Hospitals, HMOs, and Patient Safety Unit
Francis Chiafari, Director, Montgomery County Police Dept. Crime Laboratory
Theresa DeAngelo, QA Officer, Maryland State Police Forensic Sciences Division
Jennifer Hanburger, Director, Anne Arundel County Crime Laboratory
Irvin Litofsky, retired Baltimore County Police Department Forensic Services Section
Teresa Long, Director, Howard County Police Department Forensic Services Section
Craig Robinson, Manager, Identification and Crime Scene Unit, Anne Arundel County Police
Karolyn Tontarski QA Officer, Montgomery County Police Crime Laboratory
Richard Remy, Baltimore City Police Department
Pamela Shaw, Forensic Scientist, Baltimore Police Department
Mahindra Nath Varma, Prince George's County Police Department, Forensic Sciences Division

MINUTES ORGANIZED BY AGENDA ITEMS

I. Welcome and General Announcements

Renee Webster, Assistant Deputy Director, OHCQ, (Chairperson), called the meeting to order at 10:07 a.m., welcomed the committee members and others in attendance and announced that Quorum had been established for today's meeting (6 of 9 members were present).

Irv Litofsky, Director of Baltimore County Police Department Forensic Services Section recently retired. Renee thanked Irv for his service with FLAC and presented him with a certificate from Maryland Department of Health, signed by Robert R. Neall, Secretary of Maryland Department of Health and Dr. Patricia Nay, Executive Director of the Office of Health Care Quality.

II. FLAC Appointments

With Irv's retirement, a vacant county seat is available.

Renee suggested changing the 17-2A-12 forensic laboratory advisory committee to lengthen the appointments from 3 years to 4 years. This change wouldn't affect anyone currently on the committee, but the next appointment would be for 4 years.

Renee suggested expanding the number of members on the committee, ideas included: adding a quality manager from a laboratory, a lawyer and/or a more diverse committee. Some suggestions were to form subcommittees, such as a Forensic Science Work Group and bring in stakeholders from the criminal justice system such as judges, public defenders or add someone from an unaccredited laboratory. Dan mentioned previous plans to establish a Maryland Crime Lab Council, however it was never approved. Renee will send FLAC a draft of the changes before it's released.

III. ANAB Crosswalk

Crosswalk is completed with OHCQ and they should be approved shortly as a deeming authority by maybe end of today. Effective June 1, 2018, a new Accreditation Program - AR3125, based on ISO/IEC 17025:2017. The previous transition deadline of Dec 31, 2018 has been rescinded and replaced with a new transition period to the AR 3125. Laboratories have until May 30, 2019 to stay with the old standard or they will have to transfer to the new standard, AR2038.

After June 1, 2019, all laboratories will be assessed to the new standard, AR2038. The laboratories will be assumed to be in compliance and any regularly scheduled activity; i.e. surveillance, renewal, etc., will be to the new standard. The new 17011 and 17025 – offers more flexibility for use of technology. ANAB is using a cloud based checklist for documenting conformity and laboratories can get the checklist ahead of their assessments and can use them as part of their Internal Audits. COMAR is more stringent than the ANAB AR 3125 requirements. ANAB will assess to the more stringent requirements. Twenty percent of COMAR is not accounted for in ANAB requirements

IV. 2018 Legislative Session:

SB 108 was passed and will enact July 1, eliminating expiration dates and associated fees regarding the renewal of licenses and permits of behavioral health programs, facilities, medical laboratories, tissue banks and health care facilities, set by the Secretary of Health. This bill will not affect assessments/oversights and there is no need to re-apply every 3 years. OHCQ will use a checklist to ensure that data is kept up-to-date (address, etc). New labs can still apply however no fees will be collected and the issued license will not have an expiration date. Questions were asked about letters of permit exception (which had time limits for a reason). Renee will look into how they will be affected with this change.

HB 1124, was passed and will be implemented by January 1, 2019. Dan discussed this bill, the creation of a statewide sexual assault evidence collection kit tracking system and how it will benefit law enforcement throughout the state.

V. Forensic Laboratories Updates:

OHCQ will visit larger labs and the smaller labs are asked to send their departmental records for review. Updates have been made to the OHCQ forensic website such as regulations (adopted and proposed), Forensic Program info, ANAB crosswalk, FLAC (previous minutes, upcoming meeting dates and times), list of approved PT Providers and people issued letters of permit of exception.

VI. Maryland Cannabis Commission

MMCC's leadership has changed and Lori is now the Deputy Director. As of April 2018 they have 14 growers, 13 processors, 46 (out of 102) dispensaries and 4 independent testing labs have received approval to operate.

VII. Other Items

Karin informed the committee that A2LA will undergo its 17011 ILAC peer evaluation the week of May 21 and that she hopes an invitation has been extended to OHC. She also discussed what a peer evaluation entails and the types of individuals performing the evaluation.

VIII. Date and Agenda Items for Next Meeting

The next meeting is proposed to be held in October or November 2018.

IX. Adjournment

Renee motioned to adjourn the meeting at 11:26 a.m., Dan agreed and Karin second the motion.